

The Utilities Board

City of Muscle Shoals

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MUSCLE SHOALS, ALABAMA 35662

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February 17, 2025

RE: *Northwest Alabama Council of Local Governments*
Washington, D.C. Meetings
April 2025

Dear Public Officials:

I submit this correspondence on behalf of the Muscle Shoals, Alabama Utilities Board. Like many North Alabama cities, Muscle Shoals depends on water from the Tennessee River. We are permitted by the Tennessee Valley Authority to access the river for our city's water usage needs. Our water is polluted with "forever chemicals" and our treatment plant will have to be reworked in order to filter these dangerous pollutants from the City's drinking water.

Over the years, Health Advisories have been issued by the EPA placing us on notice of potential problems caused by the man-made pollutants discharged into the river at chemical manufacturing facilities operated by 3M and others in Decatur, Alabama. After years of study through several administrations, the EPA set a Maximum Contaminant Level ("MCL") on the amounts of PFOS and PFOA that should be in drinking water.

The Tennessee River has been designated as an EPA "impaired waterway" from decades of industrial chemical waste poured into the river. This problem is of particular concern to Muscle Shoals and other communities downstream from Decatur, Alabama because that is the location where 3M Company made the most toxic forever chemical which is known as PFOS. 3M Company has known that its discharges have created environmental and human health problems for many decades, yet they refused to offer assistance to North Alabama water utilities unless they pursued litigation.

A settlement was reached with West Morgan East Lawrence (“WMEL”) Water Authority which used the settlement money to build a state-of-the-art Reverse Osmosis (“RO”) water treatment plant on the banks of the Tennessee River in Lawrence County. A settlement was also reached with the City of

Decatur, Alabama. When we were informed that a new water treatment plant would have to be built in order to comply with safe drinking water standards, Muscle Shoals considered entering into a class action settlement, but the money offered was only 10% of the cost that we are going to have to spend to remove the forever chemical pollutants from our water.

We have heard from some groups that we should be seeking the suspension or elimination of PFOS and PFOA contamination limits. This shortsighted approach comes primarily from the chemical manufacturing sector and from water treatment operators that are not interested in coming into compliance in order to filter the forever chemical toxins from the water supply. The truth is that the public does not want man-made “forever chemicals” in their drinking water because they have been proven to be persistent, bioaccumulative and toxic (“PBT”). Any water treatment authority that fails to take reasonable steps to remove these chemicals from the public water supply will expose their utility to legal liability from their own citizens for not taking action.

It is our position that reversing or relaxing the EPA’s MCLs on PFOS and PFOA will be a step backwards. It will take pressure off the Chemical Manufacturers to address the harm to public health and to the environment that they caused. Reversing or relaxing the EPA’s MCLs on PFOS and PFOA will damage those water authorities like ours that face legal liability for failing to remove the “forever chemicals” from their drinking water supply.

Thank you for hearing our concerns about our community’s water quality and forever chemical pollution problem. We were told during the election that President Trump wants clean and pristine water for all Americans. The people of North Alabama who live downstream from the plant that made the most hazardous of all forever-chemicals welcomed the President’s promise. We were excited to see that EPA Chairman Lee Zeldin strongly supported the establishment of MCLs for PFOS when he was a congressman. We hope the support for clean water

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continues and companies like 3M Company, DuPont and Daikin are not allowed to escape environmental enforcement.

Sincerely:

A handwritten signature in black ink, appearing to read "James Vance". The signature is fluid and cursive, with the first name "James" written in a more compact, stylized script and the last name "Vance" in a slightly more legible but still cursive font.

James Vance, PE
General Manager
Muscle Shoals Utilities Board

cc:

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